

# THE COMMITTEE ON ENERGY AND COMMERCE



## MEMORANDUM

July 25, 2014

To: Energy and Commerce Committee

From: Majority Staff

Re: Markup of H.R. 3670, Anti-Spoofing Act of 2013; H.R. 5161, E-LABEL Act; H.R. 1575, Kelsey Smith Act; H.R. 4701, The Lyme and Tick-borne Diseases Act of 2014; H.R. 3522, Employee Health Care Protection Act; H.R. 4067, and a bill to provide for the extension of the enforcement instruction on supervision requirements for outpatient therapeutic services in critical access and small rural hospitals through 2014; and, H.R. \_\_\_\_\_, a bill to require the Secretary of Health and Human Services to provide for recommendations for the development and use of clinical data registries for the improvement of patient care.

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The Committee on Energy and Commerce will meet in open markup session on Tuesday, July 29, 2014, at 4:00 p.m. in 2123 Rayburn House Office Building for opening statements. The Committee will reconvene on Tuesday, July 30, 2014, at 10:00 a.m. in 2123 Rayburn House Office Building in open markup session.

In keeping with Chairman Upton's announced policy, Members must submit any amendments they may have two hours before they are offered during this markup. Members may submit amendments by email to [peter.kielty@mail.house.gov](mailto:peter.kielty@mail.house.gov). Any information with respect to an amendment's parliamentary standing (e.g., its germaneness) should be submitted at this time as well.

### **I. Health Related Legislation**

The Committee will consider the health bills described below. Please contact Brenda Destro, Carly McWilliams, Katie Novaria, or Clay Alspach of the Committee staff at 5-2927 with any questions regarding the legislation.

#### **A. H.R. 4701, Lyme and Tick-borne Diseases Act of 2014**

The bill would establish a working group to review all Federal activities at the Department of Health and Human Services related to lyme and tick-borne diseases. The working group would prepare a report that summarizes research activities and current advances in science and treatment. Informed by the report of the working group, a strategic plan would be

developed to identify the best strategies to improve the prevention, diagnosis, and treatment of lyme and tick-borne diseases.

**B. H.R. 3522, Employee Health Care Protection Act**

The bill would allow health insurance issuers to continue to offer non-ACA compliant group coverage that was in effect during 2013.

**C. H.R. 4067, a bill to provide for the extension of the enforcement instruction on supervision requirements for outpatient therapeutic services in critical access and small rural hospitals through 2014**

With an eye on rural access health care issues, the legislation would continue to delay for the remainder of 2014 the enforcement instruction regarding supervision requirements for outpatient therapeutic services offered in critical access and small rural hospitals.

**D. H.R. \_\_\_\_, a bill to require the Secretary of Health and Human Services to provide for recommendations for the development and use of clinical data registries for the improvement of patient care**

The legislation, taking into account the importance of clinical data registries as a foundation of physician payment reform and innovation, would require the Secretary to publish specific recommendations for the development of clinical data registries.

**II. Telecommunications Related Legislation**

The Committee will consider the telecommunications bills described below. Please contact David Redl or Kelsey Guyselman of the Committee staff at 5-2927 with any questions regarding the legislation.

**A. H.R. 3670, Anti-Spoofing Act of 2013**

H.R. 3670 would protect consumers against fraudulent actors and deceitful text messages by updating the Truth in Caller ID Act of 2009. The Truth in Caller ID Act of 2009 prohibits entities from transmitting misleading or inaccurate caller ID information. H.R. 3670 would extend that prohibition to encompass text messaging and certain VoIP services. An amendment in the nature of a substitute, offered by Mr. Barton, would make targeted changes to the text of H.R. 3670 to focus the bill on specific text messaging and voice over Internet protocol services.

**B. H.R. 5161, E-LABEL Act**

The E-LABEL Act would reduce the regulatory burden faced by electronics manufacturers. This legislation would remove the requirement that electronic devices contain a physical label to detail information required by the Federal Communications Commission and give manufacturers the option of providing labeling information digitally on the screen of the device.

**C. H.R. 1575, Kelsey Smith Act**

The Kelsey Smith Act would require telecommunications carriers to share call location data with law enforcement when it is necessary to respond to an emergency call or in an emergency situation where a person's life may be in danger. The law also provides liability protection for companies that provide the data to law enforcement.